

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. _____

UNITED STATES OF AMERICA,)	
)	
Petitioner,)	
)	
v.)	CERTIFICATION OF A
)	SEXUALLY DANGEROUS PERSON
BYRON NEIL ANTONE,)	
Register Number 75670-008,)	
)	
Respondent.)	

The United States of America, by and through the United States Attorney for the Eastern District of North Carolina, hereby submits the attached Certification of a Sexually Dangerous Person pursuant to Title 18 U.S.C. § 4248(a).

Respectfully submitted, this 23rd day of February, 2007.

George E. B. Holding
United States Attorney

BY: /s/ Michael Bredenberg
Michael Bredenberg
Special Assistant U.S. Attorney
Civil Division
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Suite 800, Federal Building
Raleigh, NC 27601-1461
Telephone: (919) 575-3900 x 6078
(919) 856-4309
FAX: (919) 856-4821

N.C. Bar # 26068

CERTIFICATE OF SERVICE

This is to certify that I have this 23rd day of February, 2007, served a copy of the foregoing upon the Respondent in this action by placing the documents in an envelope marked as stated below, and providing it to FCC Butner staff to deliver the envelope in hand to:

Byron Neil Antone
Reg. No.: 75760-008
FCI Butner

and on the same day served a copy of the foregoing by placing a copy in the U.S. Mail, addressed as follows:

Federal Public Defender's Office
150 Fayetteville Street Mall
Suite 450
Raleigh, North Carolina 27611

/s/ Michael Bredenberg
Michael Bredenberg
Special Assistant U.S. Attorney
Civil Division

CERTIFICATION OF A SEXUALLY DANGEROUS PERSON

(1) I, Paul Sahwell, am Interim Chairperson of the Federal Bureau of Prisons (Bureau) Certification Review Panel, Washington, D.C. Pursuant to 28 C.F.R. § 0.97, the Director of the Bureau has delegated to me the authority to certify persons in Bureau custody as sexually dangerous, as authorized by 18 U.S.C. § 4248(a).

(2) Bureau records reflect the following: Inmate Byron Neil Antone, Register Number 75670-008, is in Bureau custody at the Federal Correctional Institution in Butner, North Carolina, serving a 114-month federal term of imprisonment to be followed by five years of supervised release, as a result of his conviction for Aggravated Sexual Abuse in violation of 18 U.S.C. §§ 1153 and 2241 (Criminal Docket No. 99-CR-00906-001-TUC-JMR (District of Arizona)). Although Inmate Antone entered a plea of guilty for one count involving one female victim, the offense conduct in this case involved him kidnaping and sexually assaulting six females over a period of several years. Inmate Antone's good conduct time release date is February 27, 2007.

(3) Based on a review of inmate Antone's Bureau records, I certify he is a sexually dangerous person as defined by 18 U.S.C. § 4247(a)(5), and sexually dangerous to others as defined by 18 U.S.C. § 4247(a)(6). My certification is based on information found in Bureau records which includes, but is not limited to, the following:

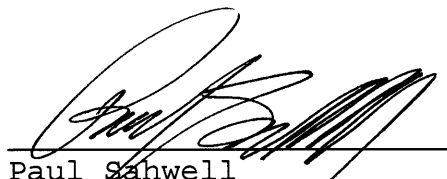
(A) Inmate Antone previously engaged or attempted to engage in the sexually violent conduct or child

molestation as evidenced by his offense conduct that involved his sexually assaulting six female victims, the youngest being approximately 14 years old.

(B) A limited psychological review of inmate Antone indicated Axis I diagnoses of Paraphilia Not Otherwise Specified (Provisional) and Polysubstance Dependence In a Controlled Environment, and an Axis II diagnosis of Antisocial Personality Disorder.

(C) An initial assessment of inmate Antone using an actuarial risk assessment instrument (Static-99) was conducted. This result, in addition to Inmate Antone's offense conduct, history of substance dependence, negative social influences, and the presence of anger/hostility problems, indicate he will have serious difficulty refraining from sexually violent conduct or child molestation if released.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.


Paul Sahwell
Interim Chairperson
Certification Review Panel
Federal Bureau of Prisons

2 - 23 - 07
Date

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. _____

UNITED STATES OF AMERICA,)	
)	
Petitioner,)	
)	
v.)	ORDER
)	
BYRON NEIL ANTONE,)	
Register Number 75670-008,)	
)	
Respondent.)	

At the request of the Director of the Bureau of Prisons, the government has filed a Certification of a Sexually Dangerous Person pursuant to 18 U.S.C. § 4248, in order for this court to hold a hearing to determine whether the Respondent is a sexually dangerous person as defined by 18 U.S.C. § 4247(a)(5).

Respondent, having demonstrated eligibility for appointment of counsel at government expense, the Federal Public Defender IS DIRECTED to provide representation in this action.

The Court further determines that the respondent is unable to pay the fees of any witness, and pursuant to Federal Rule of Criminal Procedure 17(b) the Clerk shall issue a subpoena for any witness necessary to present an adequate defense to the pending charge or charges.

The Court further ORDERS that the United States Marshal shall serve any subpoenas presented to him in this case by the office of the Federal Public Defender, and shall pay the

appropriate fees and expenses to witnesses so subpoenaed.

The Court further ORDERS the appointment of an additional mental health examiner to be selected by the Respondent. Respondent is DIRECTED to file notice with the Court of the name of the additional mental health examiner within five days of the filing of this order.

The Court hereby notifies the parties that this case has been set for Hearing by videoconference at _____ AM/PM on _____ 2007. The hearing shall be held in Courtroom #2, Seventh Floor, of the Terry Sanford Federal Building, 310 New Bern Avenue, Raleigh, North Carolina.

This ____ day of _____, 2007.

W. EARL BRITT
Senior U.S. District Judge